



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, बुधवार २४ नवम्बर, १९६५/३ अग्रहायण, १८८७

GOVERNMENT OF HIMACHAL PRADESH

CO-OPERATIVE DEPARTMENT

NOTIFICATION

Simla-4, the 26th August, 1965

No. 4-6/62-Co-op.—In exercise of the powers delegated by the President under the proviso to Article 309 of the Constitution, vide Government of India, Ministry of Home Affairs, notification No. F. 27/59-Him(i), dated the 13th July, 1959, the Lieutenant Governor, Himachal Pradesh, is pleased to make the following Rules in respect of Himachal Pradesh Co-operative Department Class III services in regard to the following matters namely:—

- (i) the method of recruitment to the Himachal Pradesh Co-operative Department Class III service;
- (ii) the qualifications necessary for appointment to such service and posts; and
- (iii) the conditions of service of persons appointed to such service and posts for purposes of probation, confirmation, seniority and promotion.

RECRUITMENT RULES

PART I—GENERAL

1. *Short title and commencement.*—(a) These rules may be called the Himachal Pradesh Co-operative Department Class III Service (Recruitment, Promotion and conditions of Service) Rules, 1965.

(b) These rules shall come into force from the date of publication of this notification in the Official Gazette.

2. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context:—

- (a) “Recognised University” means an university incorporated by Law in India.
- (b) “Government” means Himachal Pradesh Government.
- (c) “The service” means the Himachal Pradesh Co-operative Department Class III Service.
- (d) “Direct appointment” means an appointment made otherwise than by promotion from amongst the members of the service or by transfer of an official already in the service of the Government or of the Union.
- (e) “Scheduled castes” means the castes, races or tribes or parts of or groups within castes, races or tribes specified in the Constitution Scheduled Castes (Union Territories) Order, 1951, as amended by Part v of Schedule II read with sub-section (2) of section 3 of the Scheduled Castes and Scheduled Tribes Order (Amendments) Act, 1956 (63 of 1956).
- (f) “Scheduled tribes” means the tribes or tribal communities or parts of or groups within tribes or tribal communities specified in Schedule to the Constitution Scheduled Tribes (Union Territories) Order, 1951, as amended by Part IV of Schedule IV read with sub-section (2) of section 4 of the Scheduled Castes and Scheduled Tribes Order (Amendment) Act, 1956 (63 of 1956).
- (g) “Member” means a member of the Himachal Pradesh Co-operative Department Class III services.
- (h) “Head of the Department” means Registrar, Co-operative Societies.

PART II—RECRUITMENT TO SERVICE

3. *Character of posts.*—The character (i.e. designation, grade etc.) of the various posts included in the service and their rates of pay shall be as indicated in Annexure I to these rules.

4. *Authority empowered to make appointments.*—All appointments to posts in the service shall be made by the Head of Department or any other authority declared as such by the Lieutenant Governor.

5. *Nationality, eligibility and age etc.*—(1) A candidate for appointment to any post in the service must be:—

(a) a citizen of India; and

(b) (i) who or whose father has been continuously residing in Himachal Pradesh for a period of not less than three years immediately preceding the last date fixed for making applications for appointment to a post;

or

(ii) whose father, if dead, continuously resided in Himachal Pradesh for a period not less than three years immediately preceding his death, and who has, after the death of his father, continued to reside in

Himachal Pradesh upto the last date fixed for making applications for appointment to a post:

Provided that any period of temporary absence from Himachal Pradesh for the purposes of prosecuting his studies or for undergoing medical treatment or any period of such temporary absence not exceeding three months for any other reason, shall not be deemed to constitute a break in the continuity of such residence, but for the purpose of calculating the said period of three years any such period of temporary absence shall be excluded; and

- (iii) who produces before the appointing authority concerned, if so required by it, a certificate of eligibility granted under rule 4 of the Himachal Pradesh, Manipur and Tripura Public Employment (Requirement as to Residence) Rules, 1959;

Provided further that in case the Lieutenant Governor, in any exceptional case and for reasons to be recorded in writing relaxes the provisions of sub-rule (i) of this rule, in exercise of his discretion under rule 5 of the Himachal Pradesh, Manipur and Tripura Public Employment (Requirement as to Residence) Rules, 1959 a candidate for appointment to any post in the service must be :—

- (a) a citizen of India, or
- (b) a subject of Sikkim, or
- (c) a subject of Nepal, or
- (d) a person of Indian origin who has migrated from Pakistan with the intention of permanently settling in India:

Provided that if he belongs to category (c) or (d) he must be a person in whose favour a certificate of eligibility has been given by the Government of India:

Provided further that if he belongs to category (d) the certificate of eligibility will be valid only for a period of one year from the date of his appointment beyond which he can be retained in service only if he has become a citizen of India.

A candidate in whose case a certificate of eligibility is necessary, may be admitted to an examination or interview and he may also provisionally be appointed subject to the necessary certificate being given to him by the Government of India; and

- (2) Unless he is already in Government service must produce:—

- (i) a certificate of good moral character from the principal academic officer of his university, college, school or the head of his educational or technical institution last attended;
- (ii) certificates of good moral character from two responsible persons not being his relatives, who are well acquainted with him in private life and unconnected with his university, college, school or other educational or technical institution;
- (iii) a medical certificate, as required by rule 10 of Fundamental Rules and rules 3 and 4 of Supplementary Rules;
- (iv) a declaration to the effect that he has not more than one living wife;

Note.—No person who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life time of such spouse, shall be eligible for appointment to service;

- (v) in the case of female Government servant a declaration to the effect that she has not married a person having already a living wife;

Note.—No woman whose marriage is void by reason of the husband having wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage shall be eligible for appointment to service.

Provided that the Himachal Pradesh Government, may, if satisfied that there are special grounds for doing so, exempt any person from the operation of rules in clauses (iv) and (v) above.

(3) must not be less than 18 years and not more than 25 years of age on the date of his appointment:

Provided further that the minimum and maximum age limits as prescribed may be relaxed in pursuance of the instructions laid down in Government of India, Ministry of Home Affairs Office Memorandum No. 4/7/56. RPS, dated the 30th November, 1956 (Annexure II) and of administrative instructions given in Appendix 3 of the Post and Telegraph Compilation of the Fundamental and Supplementary Rules, Vol. II;

Provided further that the maximum age limit may be relaxed in the case of scheduled castes/tribes candidates, displaced persons and other special categories in accordance with the orders issued by the Government of India from time to time.

6. Educational and technical qualifications of candidates.—No person shall be appointed in service, unless in the case of appointment to the post of:—

(i) *District Inspector/District Audit Officer.*—He has passed B.A. with Economics/B.Sc., Agr./B.Com. examinations of the recognised university or some other examination declared equivalent to the above examination. The prescribed qualifications will be relaxable in the case of departmental promotee from the grade of Auditor-cum-Accountant and Inspectors.

(ii) *Auditor-cum-Accountant.*—He has passed degree examination or some other examinations declared equivalent to the above examination of a recognised university. He possesses 5 years experience in accounts work of responsible nature. The case of departmental promotee from the grade of Inspectors.

(iii) *Inspector.*—He has passed the B.A. with economics & B.Com./B.Sc., Agr. of a recognised university or some other examinations declared equivalent to the above examination. The prescribed qualification will be relaxable in the case of the departmental promotee from the grade of Auditors or from amongst the Gram Sewaks or the Development Department of the Government.

(iv) *Auditor.*—He has passed intermediate/higher secondary examination of a recognised university/board or some other examination declared equivalent to the above examination. The prescribed qualifications will be relaxable in the case of departmental promotee from the grade of Sub-Inspectors.

(v) *Sub-Inspector.*—He has passed the matriculation or higher secondary examination of the recognised university or above or some other examination declared equivalent to the above examination.

(vi) *Statistical Assistant.*—He has passed M.A. examination with one of the papers of statistics or some other examination declared equivalent to the above examination of a recognised university.

(vii) *Investigator.*—He has passed M.A. examination with one of the papers of statistics and some other examination equivalent to the above examination.

(viii) *Head Assistant.*—He has rendered 6 years service (officiating or confirmed) as a Head Clerk, Accountant or Assistant.

(ix) *Head Clerk*.—He has rendered 4 years service (officiating or confirmed) as Assistant or Clerk.

(x) *Accountant*.—He has rendered 4 years service (officiating or confirmed) as Assistant or Clerk.

(xi) *Assistant*.—He has rendered 3 years service (officiating or confirmed) as a Stenographer or Clerk.

(xii) *Stenographer*.—He has passed the matriculation examination of the recognised university and possesses a speed of 100 words per minute of English short-hand or 60 words per minute Hindi short-hand and a speed of 30 words per minute of English or 20 words per minute of Hindi typewriting.

(xiii) *Clerk*.—He has passed the matriculation examination of a recognised university or above and possesses a speed of 30 words per minute in typewriting:

Provided that the condition of qualifying the typewriting test will not apply in the case of physically handicapped persons who are otherwise eligible for appointment to posts of clerks in the Himachal Pradesh Co-operative department under these rules, and who are certified as being unable to type by the Medical Board attached to special Employment Exchanges for the handicapped (or by a Civil Surgeon where is no Board).

(xiv) *Driver*.—He possesses a driving licence and is literate:

Provided that the conditions as prescribed above may be relaxed, in special circumstances by orders of the Lieutenant Governor.

7. *Method of recruitment*.—Posts in the service shall be filled either by promotion or by transfer or by direct recruitment in the following manner:—

(i) *District Inspectors/District Audit Officers*.—Twenty-five per cent of the posts will be filled by direct recruitment and 75 per cent by promotion through the Departmental Promotion Committee, from amongst Auditor-cum-Accountant, Inspectors, Head Clerks, Statistical Assistant and Investigator on the basis of seniority-cum-merits subject to the rejection of unfit.

(ii) *Auditor-cum-Accountant*.—By promotion through the Departmental Promotion Committee from amongst Inspectors on the basis of seniority-cum-merits subject to the rejection of unfit.

(iii) *Inspectors*.—Fifty per cent posts will be filled by promotion on the basis of seniority subject to the rejection of unfit out of the Assistants, Auditors and Sub-Inspectors and 10 per cent from amongst the Gram Sewaks of the Development Department of this Government and 40 per cent posts will be filled by direct recruitment.

(iv) *Auditors*.—Fifty per cent posts will be filled by promotion on the basis of seniority-cum-merits subject to rejection of unfit out of the sub-inspectors and clerks. The remaining 50 per cent will be filled by direct recruitment.

(v) *Sub-Inspectors*.—By direct recruitment.

(vi) *Statistical Assistant*.—By direct recruitment and by promotion from amongst the Inspectors who are graduate with economics with at least three years experience.

(vii) *Investigator*.—By direct recruitment and by promotion from amongst the Inspectors who are graduate with economics with at least three years experience.

(viii) *Head Assistant*.—By promotion from amongst the Head Clerks and Accountants.

(ix) *Head Clerks*.—By promotion amongst the Assistants and Clerks.

(x) *Accountant*.—By promotion from amongst the Assistants and Clerks.

(xi) *Assistants*.—Seventy-five per cent of the posts will be filled up by promotion from amongst Clerks, the remaining 25 per cent will be filled up from amongst the Stenographers.

(xii) *Stenographers*.—By direct recruitment.

(xiii) *Clerks*.—By direct recruitment or by transfer of a person already in the service of the Union.

(xiv) *Driver*.—By transfer of person already in the service of the Union or by direct recruitment:

Provided that 23 per cent and 5 per cent of the vacancies to be filled up by direct recruitment shall be filled up from the candidates belonging to Scheduled Castes and Scheduled Tribes respectively subject to the minimum qualifications being satisfied by them:

Provided further that the vacancies reserved for outside candidates shall be intimated to the heads of departments or heads of offices, as the case may be, and they shall be asked to recommend names of suitable candidates working in their offices otherwise vacancies shall be notified to the Employment Exchanges in Himachal Pradesh or will be advertised.

8. *Selection by Departmental Promotion Committee*.—The Departmental Promotion Committee shall be as follows:—

- (1) Secretary (Co-operation), (2) Registrar, Co-operative Societies,
- (3) Deputy Registrar, Co-operative Societies (Development),
- (4) or a member nominated by the Secretary, till it is reconstituted by the Chief Secretary.

Offers of appointment shall be made strictly in accordance with the order in which the candidates are placed at the time of selection.

PART III—CONDITIONS OF SERVICE

9. *Probation of member of service*.—(i) Members of the service who are appointed against permanent vacancies shall, on appointment to any post in the service, remain on probation for a period of two years in the case of direct recruitment and on trial for a period of one year in the case of promotion.

Explanation.—Approved officiating service shall be taken as a period spent on probation but no member who is officiating in any appointment shall on the completion of the probationary period prescribed be confirmed until he is appointed against a permanent vacancy.

(ii) If the work or conduct of any member during his period of probation or trial is, in the opinion of the appointing authority, not satisfactory the appointing authority may dispense with his services or revert him to his former post if he has been appointed to that post otherwise than by direct recruitment.

(iii) On the completion of the period of probation or trial of any member, the appointing authority prescribed in rule 4, may confirm such member in his appointment or if his work and conduct has, in the opinion of the appointing authority, not been satisfactory, may dispense with his services, or revert him to his former post, if he has been appointed otherwise than by direct appointment, or may extend the period of probation or trial and there to pass such orders on the expiry of probation or trial as it could have passed on the expiry of the first period of probation or trial:

Provided always that the total period of probation or trial including extension, if any, shall not exceed three years.

10. *Scale of pay etc., of the service*.—The grade of pay of each class of service are mentioned in annexure 1 to these rules subject to their revision from time to time.

11. Discipline.—In respect of discipline, punishment and appeal, the members of the service shall be governed by the provision of Central Civil Services (Classification, Control and Appeal) Rules, 1957 and the Central Civil Service (Conduct) Rules, 1955, as amended from time to time.

12. Seniority of members of service.—(1) Subject to the provision of paragraph (2) below, persons appointed in a substantive or officiating capacity to a grade prior to the issue of these rules shall retain the relative seniority already assigned to them or such seniority as may hereafter be assigned to them under the existing orders applicable to their cases and shall *en-bloc* be senior to all others in that grade.

Explanation.—For the purpose of these rules:

(a) Persons who are confirmed retrospectively with effect from a date earlier than the issue of these rules; and

(b) Persons appointed on probation to a permanent post substantively vacant in the grade prior to the issue of these rules, shall be considered to be permanent officers of the grade.

(2) Subject to the provision of paragraph (3) below, permanent officers of each grade shall be ranked senior to persons who are officiating in that grade.

(3) *Direct recruits.*—Notwithstanding the provisions of rule (2) above, the relative seniority of all direct recruits shall be determined by the order of merit in which they are selected for such appointment, on the recommendations of the selecting authority, persons appointed as a result of an earlier selection being senior to those appointed as a result of subsequent selection:

(1) Provided that where persons recruited initially on a temporary basis are confirmed subsequently in an order different from the order of merit indicated at the time of their appointment, seniority shall follow the order of confirmation and not the original order of merit:

(2) Provided further that a person who does not join within the specified period shall lose his seniority according to the selection list and shall rank in the seniority list next to the person who joined earlier:

(3) Provided further that he shall not lose his seniority, if the fact of his joining later was caused by circumstances beyond his control and for the reasons recorded in writing, the appointing authority is satisfied that this was so.

(4) *Promotion.*—(i) The relative seniority of persons promoted to the various grades shall be determined in the order of their selection for such promotion:

Provided that where persons promoted initially on a temporary basis are confirmed subsequently in an order different from the order of merit indicated at the time of their promotion seniority indicated at the time of their promotion seniority shall follow the order of confirmation and not the original order of merit.

(ii) Where promotion to a grade are made from more than one grade, the eligible persons shall be arranged in separate lists in the order of their relative seniority in their respective grades. Thereafter the Departmental Promotion Committee shall select persons for promotion from each list upto the prescribed quota and arrange all the candidates selected from different lists in a consolidated order of merit which will determine the seniority of the persons on promotion to the higher grade.

(5) *Relative seniority of direct recruits and promotees.*—The relative seniority of direct recruits and promotees shall be determined according to the relative proportion of vacancies between direct recruits and promotees which shall be based on the quotas of vacancies reserved for direct recruitment and promotion respectively in the recruitment rules.

(6) *Transferees*.—The relative seniority of persons appointed by transfer to the Co-operative Department from other departments of the Administration or other departments of State Governments shall be determined in accordance with the order of their selection for such transfer.

EXPLANATORY MEMORANDUM

Sub-rule (4)(i).—Where promotions are made on the basis of selection by a D.P.C., the seniority of such promotees shall be in the order in which they are recommended for such promotion by the Committee. Where promotions are made on the basis of seniority subject to the rejection of the unfit. The seniority of persons considered fit for promotion at the same time shall be the same as the relative seniority in the lower grade from which they are promoted. Where, however, a person is considered as unfit for promotion and is superseded by the junior, such person shall not, if he is subsequently found suitable and promoted, take seniority in the higher grade over the junior person who has superseded him.

Sub-rule (5).—A roster shall be maintained based on the reservation for direct recruitment and promotion in the recruitment rules. Appointments shall be made in accordance with this roster and seniority determined accordingly.

Illustration.—Where 75% of the vacancies are reserved for promotion and 25% for direct recruitment, each direct recruit shall be ranked in seniority below 3 promotees. Where the quotas are 50% each, every direct recruit shall be ranked below a promotee. If for any reason, a direct recruit or a promotee ceases to hold the appointment in the grade, the seniority list shall not be rearranged merely for the purpose of ensuring the proportion referred to above.

13. *Leave and pension etc.*—In respect of leave, pension and other (cognate) matters not specifically mentioned in these rules, the members of the service shall be governed by the Revised Leave Rules, 1933, given in Appendix 7-A, Volume II of the Post and Telegraph Compilation of the Fundamental and Supplementary Rules and the pension rules promulgated by the Government of India in Finance Ministry's office memo. No. F. 3(1)Est. (Spl.)/47, dated the 17th April, 1950 as amended from time to time, unless one has already exercised option otherwise.

14. *Training and examination etc.*—The members of service shall have to qualify at examinations or to undergo training as may be prescribed by the Head of Department from time to time for any class of posts.

15. *Other conditions of service.*—In respect of conditions of service other than those covered by these rules, members of the service shall be governed by the Government of India, Ministry of Home Affairs notification No. 27/59-Him(ii), dated the 13th July, 1959.

ANNEXURE I

ANNEXURE TO HIMACHAL PRADESH CO-OPERATIVE DEPARTMENT CLASS III SERVICE RECRUITMENT AND PROMOTION RULES

Character of posts

Grade

1. District Inspector	Rs. 170-10-250/10-350
2. District Audit Officer	Rs. 170-10-250/10-350
3. Auditor-cum-Accountant	Rs. 150-15-300

Character of posts

Grade

4. Inspector	Rs. 100-10-200/10-300
5. Auditor	Rs. 80-5-120/8-200/10-220
6. Sub-Inspector	Rs. 60-4-80/5-120
7. Statistical Assistant	Rs. 150-10-300
8. Investigator	Rs. 150-10-300
9. Head Assistant	Rs. 250-10-350
10. Head Clerk	Rs. 150-10-300
11. Accountant	Rs. 150-10-300
12. Assistant	Rs. 116-8-180/10-250
13. Stenographer	Rs. 100-5-150/5-175
14. Clerk	Rs. 60-4-80/5-120/5-175
15. Driver	Rs. 60-3-90

ANNEXURE II

Copy of office memorandum No. 4/7/56-RPS, dated the 30th November, 1956, from the Under Secretary to the Government of India, Ministry of Home Affairs, to all Ministries, etc.

Subject: Minimum age limit for recruitment to clerical posts not made through the Union Public Service Commission.

Reference: This Ministry's office memorandum No.4/7/56-RPS, dated the 20th March, 1956.

Replies received from Ministries and other offices to this Ministry's Office Memorandum referred to above show a consensus of opinion in favour of the proposals made in that memorandum. It has accordingly been decided that for recruitment to clerical posts under the Central Government made without reference to the Union Public Service Commission the minimum age limit should be 18 years. Head of Departments are authorised to make a relaxation, in exceptional cases, of this limit by not more than one year.

3. In so far as the persons serving in the Indian Audit and Accounts Department are concerned, those orders are issued in consultation with the Comptroller and Auditor General.

V. B. L. MATHUR,
Joint Secretary.

